

### Notice of Allowability

Application No.

09/994,618

Examiner

Angel R. Estrada

Applicant(s)

WEEKS, RICHARD H.

Art Unit

2831

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on November 19, 2003.
2. ☒ The allowed claim(s) is/are 1-15, 17-21 and 24-43.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

  
ANTHONY DINKINS  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-15, 17-21 and 24-43 are allowed.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 1-15, 17-21 and 24-43 are:

Regarding claims 1-8 and 42 is the inclusion therein in combination as currently claimed of the limitation of the fixture support being movable about an axis extending transversely relative to the side wall; and the fixture support being movable from the first use position to the first non-use position.

Regarding claim 9 is the inclusion therein in combination as currently claimed of the limitation of said fixture support movable between a use position for the first fixture fastener and a non use position for the first fixture fastener; and the use position for the first fixture fastener being a position in which the first fixture fastener faces outwardly away from the top wall, and the non use position for the first fixture fastener being a position in which the first fixture fastener faces outwardly from the top wall.

Regarding claims 10-15 is the inclusion therein in combination as currently claimed of the limitation of said fixture support movable about an axis extending substantially perpendicular to the top wall between a use position and a non use position; and the use position for the first fixture fastener being a position in which the first fixture fastener faces outwardly away from the top wall, and the non use position for the first fixture fastener being a position in which the first fixture fastener faces outwardly from the top wall.

Regarding claims 18-21 is the inclusion therein in combination as currently claimed of the limitation of the fixture support attached to the junction box, and the fixture support being rotatable relative to the junction box.

Regarding claims 24-27 is the inclusion therein in combination as currently claimed of the limitation of the fixture support being movable about an axis and including a block; the block including a first face and a second face; the first face substantially outwardly away from the top wall when the fixture support is in the first use position; and the second face faces transversely to the top wall when the first face is in the first use position.

Regarding claims 28-31 is the inclusion therein in combination as currently claimed of the limitation the fixture support being movable about an axis and including a block; the block including a first face and a second face; the first face faces substantially outwardly away from the top wall when the fixture support is in the first use position; and the second face faces substantially outwardly away from the top wall when the fixture support is in a second use position.

Regarding claims 32-35 and 17 is the inclusion therein in combination as currently claimed of the limitation the fixture support being movable between a use position and a non use position and including a block; the block including a first face and a second face; the first face substantially outwardly away from the top wall when the fixture support is in the first use position; and the second face faces transversely to the top wall when the first face is in the first use position.

Regarding claim 36 is the inclusion therein in combination as currently claimed of the limitation of said fixture support being movable about an axis extending transversely relative to the side wall between an use portion and a non use position; and the first use position being a position in which the first support extends outwardly away from the top wall, and the first non use position being a position in which the fixture support extends transversely relative to the top wall.

Regarding claims 37-39 is the inclusion therein in combination as currently claimed of the limitation of said fixture support being movable about an axis extending transversely relative to the side wall, said fixture support movable from the first use position to the first non use position and including a block.

Regarding claims 40-42 is the inclusion therein in combination as currently claimed of the limitation of said fixture support being movable about an axis extending substantially perpendicular to the top wall between a use position and a non use position and including a block.

These limitations were found in claims 1-15, 17-21 and 24-43, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

2. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (703) 305-0853. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308-3682. The fax numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for after final communication.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in cursive script that reads "Anthony Dinkins".

AE

December 18, 2003

ANTHONY DINKINS  
PRIMARY EXAMINER